| Docket No. | |
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| 3425 | |

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

| first and joint invento | | itor (if only one name is listed bel ted below) of the subject matter tled | |
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| | | Emax(Algabeta) | • |
| the specification of w | hich | | |
| (check one) | | | |
| is attached heret | 0. | | |
| 🛛 was filed on MA | RCH 29, 2004 | as United States Application N | lo. or PCT International |
| Application Numl | per PCT/DE2004/000647 | · · · · · · · · · · · · · · · · · | |
| and was amende | d on | | • |
| | • | (if applicable) | |
| I acknowledge the d 1.56, including for between the filing da continuation-in-part a I hereby claim foreig application(s) for pa application which de below and have als inventor's or plant b date before that of the | uty to disclose information continuation-in-part applied of the prior application application. In priority benefits under tent, or plant breeder's esignated at least one of so identified below, by reeder's rights certificate application on which prioritinus in the second so identified below, by the application on which prioritinus in the second so identification on which prioritinus in the second so identification on which prioritinus in the second sec | endment referred to above. on which is material to patentabil lications, material information with and the national or PCT interests. The second of the sec | which became available national filing date of the or 365(b) of any foreign of any PCT International states of America, listed application for patent, pplication having a filing |
| Prior Foreign Applica | | | Priority Claimed |
| DE 103 14 533.8 | GERMANY | 31 MARCH 2003 | <u>.</u> |
| (Number) | (Country) | (Day/Month/Year Filed |) |
| (Number) | (Country) | (Day/Month/Year Filed | |
| (Number) | (Country) | (Day/Month/Year Filed | <u> </u> |

| ereby claim the benefit under blication(s) listed below: | 35 U.S.C. Section 119(| (e) of any United States provisions |
|--|------------------------|-------------------------------------|
| (Application Serial No.) | (Filing Date) | - |
| (Application Serial No.) | (Filing Date) | - |
| (Application Serial No.) | (Filing Date) | <u> </u> |

insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
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| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |
| (Application Serial No.) | (Filing Date) | (Status) (patented, pending, abandoned) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

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